D.B.CIVIL SPECIAL APPEAL NO.926/99
TARA CHAND VS. STATE OF RAJ. & ORS.

D.B.CIVIL SPECIAL APPEAL NO.927/99
POKA RAM VS. STATE OF RAJ. & ORS.

DATE OF ORDER : 26/4/2007

HON'BLE SHRI RAJESH BALIA, J.
HON'BLE SHRI BHANWAROO KHAN, J.

Mr.N.M.Lodha, for the appellants.
Mr.G.R.Punia, for the respondents.

These two appeals are directed against the judgment of learned Single Judge dated 17/5/1999 passed in S.B.Civil Writ Petition No.1606/99 (Pratapa Ram and others vs. State of Raj. & Ors.) dismissing the writ petition in which order of District Collector, Jalore dated 22.3.1999 passed in revision no.2/98 had been challenged.

While dismissing the writ petition, learned Single Judge directed to launch criminal prosecution against office bearers of Gram Panchayat, Rewatda, Panchayat Samiti Soyala, Tehsil & District, Jalore, who were not before him.

By detailed judgment, the judgment passed by learned Single Judge on 17/5/1999 has been set aside in appeal preferred by Pratapa Ram (D.B.Civil Special Appeal No.741/99) in which order of Collector, Jalore itself has been quashed vide judgment dated 26/4/2007.

In that view of the matter, these appeals must also succeed. Accordingly, appeals are allowed and direction of learned Single Judge to prosecute the appellants are set aside in each case.

(BHANWAROO KHAN), J. (RAJESH BALIA), J.

Pankaj Baweja.